

House File 2492 - Introduced

HOUSE FILE 2492

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 694)

A BILL FOR

1 An Act relating to appropriations to the justice system.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2017 Iowa Acts, chapter 167, section 27, is
2 amended to read as follows:

3 SEC. 27. DEPARTMENT OF JUSTICE.

4 1. There is appropriated from the general fund of the state
5 to the department of justice for the fiscal year beginning July
6 1, 2018, and ending June 30, 2019, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 a. For the general office of attorney general for salaries,
10 support, maintenance, and miscellaneous purposes, including
11 the prosecuting attorneys training program, matching funds
12 for federal violence against women grant programs, victim
13 assistance grants, office of drug control policy prosecuting
14 attorney program, and odometer fraud enforcement, and for not
15 more than the following full-time equivalent positions:

16	\$	3,336,154
17		<u>6,511,705</u>
18	FTEs	215.00

19 As a condition of receiving the appropriation provided
20 in this lettered paragraph, the department of justice shall
21 maintain a record of the estimated time incurred representing
22 each agency or department.

23 b. For victim assistance grants:

24	\$	2,508,354
25		<u>5,016,708</u>

26 The moneys appropriated in this lettered paragraph shall be
27 used to provide grants to care providers providing services to
28 crime victims of domestic abuse or to crime victims of rape and
29 sexual assault.

30 The balance of the victim compensation fund established
31 in [section 915.94](#) may be used to provide salary and support
32 of not more than 24.00 full-time equivalent positions and to
33 provide maintenance for the victim compensation functions
34 of the department of justice. In addition to the full-time
35 equivalent positions authorized pursuant to this paragraph,

1 5.00 full-time equivalent positions are authorized and shall
 2 be used by the department of justice to employ one accountant
 3 and four program planners. The department of justice may
 4 employ the additional 5.00 full-time equivalent positions
 5 authorized pursuant to this paragraph that are in excess of the
 6 number of full-time equivalent positions authorized only if
 7 the department of justice receives sufficient federal moneys
 8 to maintain employment for the additional full-time equivalent
 9 positions during the current fiscal year. The department
 10 of justice shall only employ the additional 5.00 full-time
 11 equivalent positions in succeeding fiscal years if sufficient
 12 federal moneys are received during each of those succeeding
 13 fiscal years.

14 The department of justice shall transfer at least \$150,000
 15 from the victim compensation fund established in [section 915.94](#)
 16 to the victim assistance grant program.

17 Notwithstanding [section 8.33](#), moneys appropriated in this
 18 paragraph "b" that remain unencumbered or unobligated at the
 19 close of the fiscal year shall not revert but shall remain
 20 available for expenditure for the purposes designated until the
 21 close of the succeeding fiscal year.

22 c. For legal services for persons in poverty grants as
 23 provided in [section 13.34](#):

24	\$	1,152,301
25		<u>2,304,601</u>

26 2. a. The department of justice, in submitting budget
 27 estimates for the fiscal year commencing July 1, 2019, pursuant
 28 to [section 8.23](#), shall include a report of funding from sources
 29 other than amounts appropriated directly from the general fund
 30 of the state to the department of justice or to the office of
 31 consumer advocate. These funding sources shall include but
 32 are not limited to reimbursements from other state agencies,
 33 commissions, boards, or similar entities, and reimbursements
 34 from special funds or internal accounts within the department
 35 of justice. The department of justice shall also report actual

1 reimbursements for the fiscal year commencing July 1, 2017,
2 and actual and expected reimbursements for the fiscal year
3 commencing July 1, 2018.

4 b. The department of justice shall include the report
5 required under paragraph "a", as well as information regarding
6 any revisions occurring as a result of reimbursements actually
7 received or expected at a later date, in a report to the
8 co-chairpersons and ranking members of the joint appropriations
9 subcommittee on the justice system and the legislative services
10 agency. The department of justice shall submit the report on
11 or before January 15, 2019.

12 3. a. The department of justice shall fully reimburse
13 the costs and necessary related expenses incurred by the Iowa
14 law enforcement academy to continue to employ one additional
15 instructor position who shall provide training for ~~domestic~~
16 ~~abuse and~~ human trafficking-related issues throughout the
17 state.

18 b. The department of justice shall obtain the moneys
19 necessary to reimburse the Iowa law enforcement academy to
20 employ such an instructor from unrestricted moneys from either
21 the victim compensation fund established in [section 915.94](#), the
22 human trafficking victim fund established in [section 915.95](#), or
23 the human trafficking enforcement fund established in 2015 Iowa
24 Acts, chapter 138, section 141.

25 Sec. 2. 2017 Iowa Acts, chapter 167, section 28, is amended
26 to read as follows:

27 SEC. 28. OFFICE OF CONSUMER ADVOCATE. There is appropriated
28 from the department of commerce revolving fund created in
29 section 546.12 to the office of consumer advocate of the
30 department of justice for the fiscal year beginning July 1,
31 2018, and ending June 30, 2019, the following amount, or so
32 much thereof as is necessary, to be used for the purposes
33 designated:

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 \$ ~~1,568,794~~
 3 3,137,588
 4 FTEs 22.00

5 Sec. 3. 2017 Iowa Acts, chapter 167, section 29, is amended
 6 to read as follows:

7 SEC. 29. DEPARTMENT OF CORRECTIONS — FACILITIES.

8 1. There is appropriated from the general fund of the state
 9 to the department of corrections for the fiscal year beginning
 10 July 1, 2018, and ending June 30, 2019, the following amounts,
 11 or so much thereof as is necessary, to be used for the purposes
 12 designated:

13 a. For the operation of the Fort Madison correctional
 14 facility, including salaries, support, maintenance, and
 15 miscellaneous purposes:

16 \$ ~~21,359,525~~
 17 41,079,882

18 b. For the operation of the Anamosa correctional facility,
 19 including salaries, support, maintenance, and miscellaneous
 20 purposes:

21 \$ ~~16,413,582~~
 22 32,164,148

23 c. For the operation of the Oakdale correctional facility,
 24 including salaries, support, maintenance, and miscellaneous
 25 purposes:

26 \$ ~~29,745,767~~
 27 60,314,427

28 d. For the operation of the Newton correctional facility,
 29 including salaries, support, maintenance, and miscellaneous
 30 purposes:

31 \$ ~~13,830,610~~
 32 28,061,220

33 e. For the operation of the Mount Pleasant correctional
 34 facility, including salaries, support, maintenance, and
 35 miscellaneous purposes:

1 \$ ~~12,338,207~~
 2 25,526,413
 3 f. For the operation of the Rockwell City correctional
 4 facility, including salaries, support, maintenance, and
 5 miscellaneous purposes:
 6 \$ ~~4,860,229~~
 7 10,458,861
 8 g. For the operation of the Clarinda correctional facility,
 9 including salaries, support, maintenance, and miscellaneous
 10 purposes:
 11 \$ ~~12,542,703~~
 12 24,780,950
 13 Moneys received by the department of corrections as
 14 reimbursement for services provided to the Clarinda youth
 15 corporation are appropriated to the department and shall be
 16 used for the purpose of operating the Clarinda correctional
 17 facility.
 18 h. For the operation of the Mitchellville correctional
 19 facility, including salaries, support, maintenance, and
 20 miscellaneous purposes:
 21 \$ ~~11,197,045~~
 22 22,594,090
 23 i. For the operation of the Fort Dodge correctional
 24 facility, including salaries, support, maintenance, and
 25 miscellaneous purposes:
 26 \$ ~~14,883,498~~
 27 29,660,231
 28 j. For reimbursement of counties for temporary confinement
 29 of prisoners, as provided in sections 901.7, 904.908, and
 30 906.17, and for offenders confined pursuant to section 904.513:
 31 \$ ~~787,546~~
 32 1,575,092
 33 k. For federal prison reimbursement, reimbursements for
 34 out-of-state placements, and miscellaneous contracts:
 35 \$ ~~242,206~~

1 484,411

2 2. The department of corrections shall use moneys
3 appropriated in subsection 1 to continue to contract for the
4 services of a Muslim imam and a Native American spiritual
5 leader.

6 Sec. 4. 2017 Iowa Acts, chapter 167, section 30, is amended
7 to read as follows:

8 SEC. 30. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

9 There is appropriated from the general fund of the state to the
10 department of corrections for the fiscal year beginning July
11 1, 2018, and ending June 30, 2019, the following amounts, or
12 so much thereof as is necessary, to be used for the purposes
13 designated:

14 1. For general administration, including salaries and the
15 adjustment of salaries throughout the department, support,
16 maintenance, employment of an education director to administer
17 a centralized education program for the correctional system,
18 and miscellaneous purposes:

19 \$ 2,576,953
20 9,933,851

21 a. It is the intent of the general assembly that each
22 lease negotiated by the department of corrections with a
23 private corporation for the purpose of providing private
24 industry employment of inmates in a correctional institution
25 shall prohibit the private corporation from utilizing inmate
26 labor for partisan political purposes for any person seeking
27 election to public office in this state and that a violation
28 of this requirement shall result in a termination of the lease
29 agreement.

30 b. It is the intent of the general assembly that as a
31 condition of receiving the appropriation provided in this
32 subsection the department of corrections shall not enter into
33 a lease or contractual agreement pursuant to [section 904.809](#)
34 with a private corporation for the use of building space for
35 the purpose of providing inmate employment without providing

1 that the terms of the lease or contract establish safeguards to
2 restrict, to the greatest extent feasible, access by inmates
3 working for the private corporation to personal identifying
4 information of citizens.

5 2. For educational programs for inmates at state penal
6 institutions:

7 \$ 1,304,055
8 2,608,109

9 a. To maximize the funding for educational programs,
10 the department shall establish guidelines and procedures to
11 prioritize the availability of educational and vocational
12 training for inmates based upon the goal of facilitating an
13 inmate's successful release from the correctional institution.

14 b. The director of the department of corrections may
15 transfer moneys from Iowa prison industries and the canteen
16 operating funds established pursuant to [section 904.310](#), for
17 use in educational programs for inmates.

18 c. Notwithstanding [section 8.33](#), moneys appropriated in
19 this subsection that remain unobligated or unexpended at the
20 close of the fiscal year shall not revert but shall remain
21 available to be used only for the purposes designated in this
22 subsection until the close of the succeeding fiscal year.

23 3. For the development of the Iowa corrections offender
24 network (ICON) data system:

25 \$ 1,000,000
26 2,000,000

27 4. For offender mental health and substance abuse
28 treatment:

29 \$ 14,033
30 28,065

31 ~~5. For department-wide duties, including operations, costs,~~
32 ~~and miscellaneous purposes:~~

33 \$ ~~648,947~~

34 Sec. 5. 2017 Iowa Acts, chapter 167, section 31, is amended
35 to read as follows:

1 SEC. 31. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
2 SERVICES.

3 1. There is appropriated from the general fund of the state
4 to the department of corrections for the fiscal year beginning
5 July 1, 2018, and ending June 30, 2019, for salaries, support,
6 maintenance, and miscellaneous purposes, the following amounts,
7 or so much thereof as is necessary, to be used for the purposes
8 designated:

9 a. For the first judicial district department of
10 correctional services:
11 \$ ~~7,318,383~~
12 14,786,766

13 It is the intent of the general assembly that the first
14 judicial district department of correctional services maintain
15 the drug courts operated by the district department.

16 b. For the second judicial district department of
17 correctional services:
18 \$ ~~5,691,870~~
19 11,433,739

20 It is the intent of the general assembly that the second
21 judicial district department of correctional services establish
22 and maintain two drug courts to be operated by the district
23 department.

24 c. For the third judicial district department of
25 correctional services:
26 \$ ~~3,583,979~~
27 7,167,957

28 d. For the fourth judicial district department of
29 correctional services:
30 \$ ~~2,789,961~~
31 5,679,922

32 e. For the fifth judicial district department of
33 correctional services, including funding for electronic
34 monitoring devices for use on a statewide basis:
35 \$ ~~10,428,970~~

1 21,557,940

2 It is the intent of the general assembly that the fifth
3 judicial district department of correctional services maintain
4 the drug court operated by the district department.

5 f. For the sixth judicial district department of
6 correctional services:

7 \$ ~~7,356,583~~
8 14,713,165

9 It is the intent of the general assembly that the sixth
10 judicial district department of correctional services maintain
11 the drug court operated by the district department.

12 g. For the seventh judicial district department of
13 correctional services:

14 \$ ~~3,888,671~~
15 7,777,341

16 It is the intent of the general assembly that the seventh
17 judicial district department of correctional services maintain
18 the drug court operated by the district department.

19 h. For the eighth judicial district department of
20 correctional services:

21 \$ ~~4,042,261~~
22 8,084,521

23 2. Each judicial district department of correctional
24 services, within the funding available, shall continue programs
25 and plans established within that district to provide for
26 intensive supervision, sex offender treatment, diversion of
27 low-risk offenders to the least restrictive sanction available,
28 job development, and expanded use of intermediate criminal
29 sanctions.

30 3. Each judicial district department of correctional
31 services shall provide alternatives to prison consistent with
32 chapter 901B. The alternatives to prison shall ensure public
33 safety while providing maximum rehabilitation to the offender.
34 A judicial district department of correctional services may
35 also establish a day program.

1 4. The governor's office of drug control policy shall
 2 consider federal grants made to the department of corrections
 3 for the benefit of each of the eight judicial district
 4 departments of correctional services as local government
 5 grants, as defined pursuant to federal regulations.

6 5. The department of corrections shall continue to contract
 7 with a judicial district department of correctional services to
 8 provide for the rental of electronic monitoring equipment which
 9 shall be available statewide.

10 6. Notwithstanding this section, and as a condition of
 11 receiving the appropriation in this section, each judicial
 12 district department of correctional services shall not expend
 13 moneys appropriated in this section on the implementation,
 14 development, or use of pretrial risk assessments, and shall
 15 terminate any pretrial risk assessment pilot programs by
 16 December 31, 2018, until such time that the use of pretrial
 17 risk assessments are authorized by the general assembly.

18 Sec. 6. 2017 Iowa Acts, chapter 167, section 36, is amended
 19 to read as follows:

20 SEC. 36. IOWA LAW ENFORCEMENT ACADEMY.

21 1. There is appropriated from the general fund of the
 22 state to the Iowa law enforcement academy for the fiscal year
 23 beginning July 1, 2018, and ending June 30, 2019, the following
 24 amount, or so much thereof as is necessary, to be used for the
 25 purposes designated:

26 For salaries, support, maintenance, and miscellaneous
 27 purposes, including jailer training and technical assistance,
 28 and for not more than the following full-time equivalent
 29 positions:

30	\$	477,378
31		<u>971,341</u>
32	FTEs	25.00
33		<u>26.00</u>

34 The Iowa law enforcement academy may temporarily exceed and
 35 draw more than the amount appropriated in this subsection and

1 incur a negative cash balance as long as there are receivables
2 equal to or greater than the negative balance and the amount
3 appropriated in this subsection is not exceeded at the close
4 of the fiscal year.

5 2. The Iowa law enforcement academy may select at least
6 five automobiles of the department of public safety, division
7 of state patrol, prior to turning over the automobiles to
8 the department of administrative services to be disposed
9 of by public auction, and the Iowa law enforcement academy
10 may exchange any automobile owned by the academy for each
11 automobile selected if the selected automobile is used in
12 training law enforcement officers at the academy. However, any
13 automobile exchanged by the academy shall be substituted for
14 the selected vehicle of the department of public safety and
15 sold by public auction with the receipts being deposited in the
16 depreciation fund to the credit of the department of public
17 safety, division of state patrol.

18 3. The Iowa law enforcement academy shall provide training
19 for domestic abuse and human trafficking-related issues
20 throughout the state. The training shall be offered at no
21 cost to the attendees and the training shall not replace any
22 existing domestic abuse or human trafficking training offered
23 by the academy.

24 Sec. 7. 2017 Iowa Acts, chapter 167, section 37, is amended
25 to read as follows:

26 SEC. 37. STATE PUBLIC DEFENDER. There is appropriated from
27 the general fund of the state to the office of the state public
28 defender of the department of inspections and appeals for the
29 fiscal year beginning July 1, 2018, and ending June 30, 2019,
30 the following amounts, or so much thereof as is necessary, to
31 be used for the purposes designated:

32 1. For salaries, support, maintenance, and miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:

35 \$ ~~13,091,122~~

1 26,505,299

2 FTEs 223.00

3 2. For payments on behalf of eligible adults and juveniles

4 from the indigent defense fund, in accordance with section

5 815.11:

6 \$ ~~16,722,224~~

7 35,144,448

8 Sec. 8. 2017 Iowa Acts, chapter 167, section 38, is amended

9 to read as follows:

10 SEC. 38. BOARD OF PAROLE. There is appropriated from the

11 general fund of the state to the board of parole for the fiscal

12 year beginning July 1, 2018, and ending June 30, 2019, the

13 following amount, or so much thereof as is necessary, to be

14 used for the purposes designated:

15 For salaries, support, maintenance, and miscellaneous

16 purposes, and for not more than the following full-time

17 equivalent positions:

18 \$ ~~595,866~~

19 1,221,374

20 FTEs 10.75

21 Sec. 9. 2017 Iowa Acts, chapter 167, section 39, is amended

22 to read as follows:

23 SEC. 39. DEPARTMENT OF PUBLIC DEFENSE.

24 1. There is appropriated from the general fund of the

25 state to the department of public defense, for the fiscal year

26 beginning July 1, 2018, and ending June 30, 2019, the following

27 amounts, or so much thereof as is necessary, to be used for the

28 purposes designated:

29 For salaries, support, maintenance, and miscellaneous

30 purposes, and for not more than the following full-time

31 equivalent positions:

32 \$ ~~3,111,662~~

33 6,334,961

34 FTEs 248.00

35 2. The department of public defense may temporarily exceed

1 and draw more than the amount appropriated in this section and
 2 incur a negative cash balance as long as there are receivables
 3 of federal funds equal to or greater than the negative balance
 4 and the amount appropriated in this section is not exceeded at
 5 the close of the fiscal year.

6 Sec. 10. 2017 Iowa Acts, chapter 167, section 40, is amended
 7 to read as follows:

8 SEC. 40. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
 9 MANAGEMENT.

10 1. There is appropriated from the general fund of the state
 11 to the department of homeland security and emergency management
 12 for the fiscal year beginning July 1, 2018, and ending June
 13 30, 2019, the following amounts, or so much thereof as is
 14 necessary, to be used for the purposes designated:

15 For salaries, support, maintenance, and miscellaneous
 16 purposes, and for not more than the following full-time
 17 equivalent positions:

18	\$	1,060,964
19		<u>2,123,610</u>
20	FTEs	33.87

21 2. The department of homeland security and emergency
 22 management may temporarily exceed and draw more than the amount
 23 appropriated in this section and incur a negative cash balance
 24 as long as there are receivables of federal funds equal to or
 25 greater than the negative balance and the amount appropriated
 26 in this section is not exceeded at the close of the fiscal
 27 year.

28 Sec. 11. 2017 Iowa Acts, chapter 167, section 41, is amended
 29 to read as follows:

30 SEC. 41. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
 31 from the general fund of the state to the department of public
 32 safety for the fiscal year beginning July 1, 2018, and ending
 33 June 30, 2019, the following amounts, or so much thereof as is
 34 necessary, to be used for the purposes designated:

35 1. For the department's administrative functions, including

1 salaries and the adjustment of salaries throughout the
 2 department, the criminal justice information system, and for
 3 not more than the following full-time equivalent positions:
 4 \$ ~~2,071,566~~
 5 6,631,377
 6 FTEs 37.00

7 2. For the division of criminal investigation, including
 8 the state's contribution to the peace officers' retirement,
 9 accident, and disability system provided in chapter 97A in the
 10 amount of the state's normal contribution rate, as defined in
 11 section 97A.8, multiplied by the salaries for which the moneys
 12 are appropriated, to meet federal fund matching requirements,
 13 and for not more than the following full-time equivalent
 14 positions:

15 \$ ~~6,795,272~~
 16 14,463,083
 17 FTEs ~~160.00~~
 18 162.00

19 a. As a condition of the appropriation in this subsection,
 20 the division of criminal investigation shall expend up to
 21 \$200,000 to employ 2.0 full-time equivalent positions to assist
 22 in expediting the processing and analysis of DNA samples.

23 b. The division of criminal investigation may employ two of
 24 the three additional full-time equivalent positions authorized
 25 pursuant to this subsection that are in excess of the number
 26 of full-time equivalent positions authorized for the previous
 27 fiscal year only if the division of criminal investigation
 28 receives sufficient federal moneys to maintain employment for
 29 the additional 2.00 full-time equivalent positions during the
 30 current fiscal year. The division of criminal investigation
 31 shall only employ the additional 2.00 full-time equivalent
 32 positions in succeeding fiscal years if sufficient federal
 33 moneys are received during each of those succeeding fiscal
 34 years.

35 3. For the criminalistics laboratory fund created in

1 section 691.9:

2 \$ ~~151,173~~
 3 302,345

4 4. a. For the division of narcotics enforcement, including
 5 the state's contribution to the peace officers' retirement,
 6 accident, and disability system provided in chapter 97A in the
 7 amount of the state's normal contribution rate, as defined in
 8 section 97A.8, multiplied by the salaries for which the moneys
 9 are appropriated, to meet federal fund matching requirements,
 10 and for not more than the following full-time equivalent
 11 positions:

12 \$ ~~3,726,650~~
 13 7,585,873
 14 FTEs 66.50

15 The division of narcotics enforcement may employ an
 16 additional 1.00 full-time equivalent position authorized
 17 pursuant to this lettered paragraph that is in excess of
 18 the number of full-time equivalent positions authorized for
 19 the previous fiscal year only if the division of narcotics
 20 enforcement receives sufficient federal moneys to maintain
 21 employment for the additional full-time equivalent position
 22 during the current fiscal year. The division of narcotics
 23 enforcement shall only employ the additional full-time
 24 equivalent position in succeeding fiscal years if sufficient
 25 federal moneys are received during each of those succeeding
 26 fiscal years.

27 b. For the division of narcotics enforcement for undercover
 28 purchases:

29 \$ ~~54,521~~
 30 109,042

31 5. For the division of state fire marshal, for fire
 32 protection services as provided through the state fire service
 33 and emergency response council as created in the department,
 34 and for the state's contribution to the peace officers'
 35 retirement, accident, and disability system provided in chapter

1 97A in the amount of the state's normal contribution rate,
 2 as defined in [section 97A.8](#), multiplied by the salaries for
 3 which the moneys are appropriated, and for not more than the
 4 following full-time equivalent positions:

5	\$	2,343,357
6		<u>4,765,056</u>
7	FTEs	53.00

8 6. For the division of state patrol, for salaries, support,
 9 maintenance, workers' compensation costs, and miscellaneous
 10 purposes, including the state's contribution to the peace
 11 officers' retirement, accident, and disability system provided
 12 in [chapter 97A](#) in the amount of the state's normal contribution
 13 rate, as defined in [section 97A.8](#), multiplied by the salaries
 14 for which the moneys are appropriated, and for not more than
 15 the following full-time equivalent positions:

16	\$	30,683,170
17		<u>62,126,287</u>
18	FTEs	511.40

19 It is the intent of the general assembly that members of the
 20 state patrol be assigned to patrol the highways and roads in
 21 lieu of assignments for inspecting school buses for the school
 22 districts.

23 7. For deposit in the sick leave benefits fund established
 24 under [section 80.42](#) for all departmental employees eligible to
 25 receive benefits for accrued sick leave under the collective
 26 bargaining agreement:

27	\$	139,759
28		<u>279,517</u>

29 8. For costs associated with the training and equipment
 30 needs of volunteer fire fighters:

31	\$	412,760
32		<u>825,520</u>

33 a. Notwithstanding [section 8.33](#), moneys appropriated in
 34 this subsection that remain unencumbered or unobligated at the
 35 close of the fiscal year shall not revert but shall remain

1 available for expenditure only for the purpose designated in
 2 this subsection until the close of the succeeding fiscal year.

3 b. Notwithstanding [section 8.39](#), the department of public
 4 safety may reallocate moneys appropriated in this section
 5 as necessary to best fulfill the needs provided for in the
 6 appropriation. However, the department shall not reallocate
 7 moneys appropriated to the department in this section unless
 8 notice of the reallocation is given to the legislative services
 9 agency and the department of management prior to the effective
 10 date of the reallocation. The notice shall include information
 11 regarding the rationale for reallocating the moneys. The
 12 department shall not reallocate moneys appropriated in this
 13 section for the purpose of eliminating any program.

14 9. For the public safety interoperable and broadband
 15 communications fund established in [section 80.44](#):

16	\$	57,831
17		<u>115,661</u>

18 10. For the office to combat human trafficking established
 19 pursuant to [section 80.45](#) as enacted by 2016 Iowa Acts, chapter
 20 1077, section 1, including salaries, support, maintenance,
 21 miscellaneous purposes, and for not more than the following
 22 full-time equivalent positions:

23	\$	75,000
24		<u>150,000</u>
25	FTEs	2.00

26 ~~11. For department-wide duties, including operations,~~
 27 ~~costs, and miscellaneous purposes:~~

28	\$	917,487
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29 Sec. 12. 2017 Iowa Acts, chapter 167, section 42, is amended
 30 to read as follows:

31 SEC. 42. GAMING ENFORCEMENT.

32 1. There is appropriated from the gaming enforcement
 33 revolving fund created in [section 80.43](#) to the department of
 34 public safety for the fiscal year beginning July 1, 2018, and
 35 ending June 30, 2019, the following amount, or so much thereof

1 as is necessary, to be used for the purposes designated:

2 For any direct support costs for agents and officers of
 3 the division of criminal investigation's excursion gambling
 4 boat, gambling structure, and racetrack enclosure enforcement
 5 activities, including salaries, support, maintenance, and
 6 miscellaneous purposes, and for not more than the following
 7 full-time equivalent positions:

8	\$	4,872,636
9		<u>10,239,218</u>
10	FTEs	73.00

11 2. For each additional license to conduct gambling games on
 12 an excursion gambling boat, gambling structure, or racetrack
 13 enclosure issued during the fiscal year beginning July 1, 2018,
 14 there is appropriated from the gaming enforcement fund to the
 15 department of public safety for the fiscal year beginning July
 16 1, 2018, and ending June 30, 2019, an additional amount of not
 17 more than \$300,000 to be used for not more than 3.00 additional
 18 full-time equivalent positions.

19 3. The department of public safety, with the approval of the
 20 department of management, may employ no more than three special
 21 agents for each additional riverboat or gambling structure
 22 regulated after July 1, 2018, and three special agents for
 23 each racing facility which becomes operational during the
 24 fiscal year which begins July 1, 2018. Positions authorized
 25 in this subsection are in addition to the full-time equivalent
 26 positions otherwise authorized in this section.

27 Sec. 13. 2017 Iowa Acts, chapter 167, section 43, is amended
 28 to read as follows:

29 SEC. 43. CIVIL RIGHTS COMMISSION.

30 1. There is appropriated from the general fund of the state
 31 to the Iowa state civil rights commission for the fiscal year
 32 beginning July 1, 2018, and ending June 30, 2019, the following
 33 amount, or so much thereof as is necessary, to be used for the
 34 purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
 2 equivalent positions:

3	\$	578,531
4		<u>1,198,266</u>
5	FTEs	30.00

6 2. The Iowa state civil rights commission may enter into
 7 a contract with a nonprofit organization to provide legal
 8 assistance to resolve civil rights complaints.

9 Sec. 14. 2017 Iowa Acts, chapter 167, section 44, is amended
 10 to read as follows:

11 SEC. 44. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

12 1. There is appropriated from the general fund of the state
 13 to the criminal and juvenile justice planning division of the
 14 department of human rights for the fiscal year beginning July
 15 1, 2018, and ending June 30, 2019, the following amount or
 16 so much thereof as is necessary, to be used for the purposes
 17 designated:

18 For salaries, support, maintenance, and miscellaneous
 19 purposes, and for not more than the following full-time
 20 equivalent positions:

21	\$	593,917
22		<u>1,209,410</u>
23	FTEs	9.56

24 2. The criminal and juvenile justice planning advisory
 25 council and the juvenile justice advisory council shall
 26 coordinate their efforts in carrying out their respective
 27 duties relative to juvenile justice.

28 Sec. 15. 2017 Iowa Acts, chapter 167, section 45, is amended
 29 to read as follows:

30 SEC. 45. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY

31 MANAGEMENT. There is appropriated from the ~~E911~~ 911 emergency
 32 communications fund created in section 34A.7A to the department
 33 of homeland security and emergency management for the fiscal
 34 year beginning July 1, 2018, and ending June 30, 2019, the
 35 following amount, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 For implementation, support, and maintenance of the
 3 functions of the administrator and program manager under
 4 chapter 34A and to employ the auditor of the state to perform
 5 an annual audit of the ~~E911~~ 911 emergency communications fund:
 6 \$ ~~125,000~~
 7 250,000

8 Sec. 16. 2017 Iowa Acts, chapter 167, is amended by adding
 9 the following new sections:

10 NEW SECTION. SEC. 46. REGIONAL HOUSING PROJECT. There is
 11 appropriated from the Iowa skilled worker and job creation fund
 12 created in section 8.75 to the department of corrections for
 13 the fiscal year beginning July 1, 2018, and ending June 30,
 14 2019, the following amount, or so much thereof as is necessary,
 15 to be used for the purposes designated:

16 For implementation, support, maintenance, and capital
 17 construction costs to develop a regional housing building
 18 project:
 19 \$ 1,000,000

20 For purposes of section 8.33, unless specifically provided
 21 otherwise, unencumbered or unobligated moneys remaining from
 22 the appropriation in this section, shall not revert but shall
 23 remain available for expenditure for the purposes designated
 24 until the close of the fiscal year that ends three years after
 25 the end of the fiscal year for which the appropriation is made.
 26 However, if the project or projects for which the appropriation
 27 was made are completed in an earlier fiscal year, unencumbered
 28 or unobligated moneys shall revert at the close of that same
 29 fiscal year.

30 NEW SECTION. SEC. 47. CONSUMER EDUCATION AND
 31 LITIGATION — FARM MEDIATION AND PROSECUTIONS, APPEALS, AND
 32 CLAIMS. Notwithstanding section 714.16C, there is appropriated
 33 from the consumer education and litigation fund to the
 34 department of justice for the fiscal year beginning July 1,
 35 2018, and ending June 30, 2019, the following amount, or so

1 much thereof as is necessary, to be used for the purposes
2 designated:

3 a. For farm mediation services as specified in section
4 13.13, subsection 2:

5 \$ 300,000

6 b. For salaries, support, maintenance, and miscellaneous
7 purposes for criminal prosecutions, criminal appeals, and
8 performing duties pursuant to chapter 669:

9 \$ 1,000,000

10 NEW SECTION. SEC. 48. FIRE SERVICE TRAINING BUREAU —
11 ADMINISTRATOR.

12 1. In the fiscal year beginning July 1, 2018, and ending
13 June 30, 2019, the commissioner of the department of public
14 safety shall appoint an administrator of the fire service
15 training bureau of the division of state fire marshal.
16 The department may allocate up to \$100,000 of the moneys
17 appropriated for the fiscal year beginning July 1, 2018, and
18 ending June 30, 2019, for costs associated with the training
19 and equipment needs of volunteer fire fighters to pay for the
20 costs to employ the administrator.

21 2. In the fiscal year beginning July 1, 2019, and ending
22 June 30, 2020, the department of public safety may allocate
23 up to \$75,000 of the moneys appropriated for the fiscal year
24 beginning July 1, 2019, and ending June 30, 2020, for costs
25 associated with the training and equipment needs of volunteer
26 fire fighters to pay for the costs to employ the administrator.

27 3. In the fiscal year beginning July 1, 2020, and ending
28 June 30, 2021, the department of public safety may allocate
29 up to \$50,000 of the moneys appropriated for the fiscal year
30 beginning July 1, 2020, and ending June 30, 2021, for costs
31 associated with the training and equipment needs of volunteer
32 fire fighters to pay for the costs to employ the administrator.

33 4. In the fiscal year beginning July 1, 2021, and ending
34 June 30, 2022, the department of public safety may allocate
35 up to \$25,000 of the moneys appropriated for the fiscal year

1 beginning July 1, 2021, and ending June 30, 2022, for costs
2 associated with the training and equipment needs of volunteer
3 fire fighters to pay for the costs to employ the administrator.

4 Sec. 17. Section 13.2, subsection 1, paragraph g, Code 2018,
5 is amended by striking the paragraph.

6 Sec. 18. NEW SECTION. **80.46 Public safety support trust**
7 **fund.**

8 1. A public safety support trust fund is established in
9 the state treasury under the control of the department. The
10 department may receive and accept donations, grants, loans, and
11 contributions in accordance with section 565.3 from any public
12 or private source for deposit into the trust fund. Moneys
13 credited to the trust fund are appropriated to the department
14 for the purpose of supporting the activities of the department.

15 2. Notwithstanding section 8.33, moneys in the trust fund
16 shall not revert. Notwithstanding section 12C.7, subsection
17 2, interest or earnings on moneys deposited in the trust fund
18 shall be credited to the trust fund.

19 Sec. 19. Section 904.310A, Code 2018, is amended by striking
20 the section and inserting in lieu thereof the following:

21 **904.310A Information or materials — distribution.**

22 1. Funds appropriated to the department or other funds made
23 available to the department shall not be used to distribute
24 or make available any commercially published information or
25 material to an inmate when such information or material is
26 sexually explicit or features nudity.

27 2. The department shall adopt rules pursuant to chapter 17A
28 to administer this section.

29 **EXPLANATION**

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 This bill relates to and makes appropriations to the justice
33 system.

34 The bill makes appropriations from the general fund of the
35 state for fiscal year 2018-2019 to the departments of justice,

1 corrections, public defense, public safety, and homeland
2 security and emergency management, and the Iowa law enforcement
3 academy, office of the state public defender, board of parole,
4 Iowa state civil rights commission, and the criminal and
5 juvenile justice planning division of the department of human
6 rights.

7 The bill appropriates moneys from the department of commerce
8 revolving fund to the office of consumer advocate of the
9 department of justice for fiscal year 2018-2019.

10 The bill prohibits each judicial district department of
11 correctional services from expending moneys appropriated
12 from the general fund of the state for salaries, support,
13 maintenance, and miscellaneous purposes for the implementation,
14 development, or use of pretrial risk assessments, and requires
15 any risk assessment pilot programs to be terminated by December
16 31, 2018.

17 The bill appropriates moneys from the general fund of the
18 state to the criminalistics laboratory fund created in Code
19 section 691.9 to accelerate the DNA analysis of DNA samples.

20 The bill also appropriates moneys from the gaming
21 enforcement revolving fund to the department of public safety
22 for fiscal year 2018-2019.

23 The bill appropriates moneys from the wireless 911 emergency
24 communications fund to the department of homeland security and
25 emergency management for fiscal year 2018-2019.

26 The bill appropriates moneys from the Iowa skilled worker
27 and job creation fund to the department of corrections for
28 implementation, support, maintenance, and capital construction
29 costs to develop a regional housing building project.

30 The bill appropriates moneys from the consumer education and
31 litigation fund to the department of justice for farm mediation
32 services and for criminal prosecutions, criminal appeals, and
33 performing duties related to state tort claims.

34 The bill requires the commissioner of the department of
35 public safety to appoint an administrator of the fire service

1 training bureau of the division of state fire marshal pursuant
2 to Code section 100B.7. The bill authorizes the department to
3 allocate up to \$100,000 of the moneys appropriated during FY
4 2018-2019 for costs associated with the training and equipment
5 needs of volunteer fire fighters to pay for the costs to employ
6 the administrator. The bill authorizes the department to
7 allocate up to \$75,000 of the moneys appropriated during FY
8 2019-2020 for costs associated with the training and equipment
9 needs of volunteer fire fighters to pay for the costs to employ
10 the administrator. The bill authorizes the department to
11 allocate up to \$50,000 of the moneys appropriated during FY
12 2020-2021 for costs associated with the training and equipment
13 needs of volunteer fire fighters to pay for the costs to employ
14 the administrator. The bill authorizes the department to
15 allocate up to \$25,000 of the moneys appropriated during FY
16 2021-2022 for costs associated with the training and equipment
17 needs of volunteer fire fighters to pay for the costs to employ
18 the administrator.

19 The bill strikes Code section 13.2(1)(g) requiring the
20 attorney general to report to the governor, at the time
21 provided by law, the condition of the attorney general's
22 office, opinions rendered, and business transacted of public
23 interest.

24 The bill establishes a public safety support trust fund
25 in the state treasury under the control of the department of
26 public safety. The bill permits the department of public
27 safety to receive and accept donations, grants, loans, and
28 contributions from any public or private source for deposit
29 into the trust fund. Moneys credited to the trust fund are
30 appropriated to the department of public safety for the purpose
31 of supporting the activities of the department of public
32 safety.

33 The bill strikes a provision requiring the director of the
34 department of corrections to provide, as necessary, suitable
35 space for reading material for inmates. Additionally, the

1 bill prohibits the department of corrections from using
2 any appropriated funds or other funds made available to the
3 department to distribute or make available any commercially
4 published information or material to an inmate that is sexually
5 explicit or features nudity.